

**BELLEFONTE BOROUGH REORGANIZATION MEETING**  
**January 18, 2016**  
**www.bellefonte.net**

**CALL TO ORDER**

The regular meeting of the Bellefonte Borough Council was called to order by Council President Gay Dunne in the Bellefonte Borough Municipal Building.

Pledge of Allegiance:

Following the Pledge of Allegiance, Council remained standing for a moment of silence. It was requested that cell phones either be placed on vibrate or turned off.

**ROLL CALL**

Members Present: Beigle, Brachbill, Brown, DeCusati, Dunne, Harvey, Johnson; Spicer, Tosti-Vasey

Members Excused:

Officials Present: Ralph Stewart, Borough Manager  
Don Holderman, Assistant Borough Manager  
Mayor Wilson

Staff Present: Vana Dainty

Guests: Emma Gosalvez; Brian Walters

**EXECUTIVE SESSION**

Council went into an Executive Session to discuss a legal matter.

**CONSENT AGENDA**

(The following items listed on the Consent Agenda are considered to be routine and will be acted upon by a single motion. There will be no separate discussion of these items unless members of Council request specific items to be removed for separate action.)

- Minutes - Approval of January 4, 2016 Meeting Minutes
- Mayor – Police Report
- Mayor – Police Exonerations

Mr. Spicer made a motion to approve the Consent Agenda. Mr. Johnson seconded the motion. Ms. Tosti-Vasey requested the minutes be removed from the Consent

Agenda. A voice vote was unanimous to approve the Police Report and the Police Exonerations.

Ms. Tosti-Vasey requested the following changes in the minutes: page 4 – under the Certificates of Appropriates project number two was approved but the type of windows will need to change because they need to be fire resistant and further down it states it does not have to go through Council. She believes Vana said it was pulled from approval because HARB was still working on it and not that it did not have to go through the approval process. The second change she would like to make is on page 7 – on the storm water engineer, it is the position if the services are needed the resident pays the fees; she requested that it be put out to bid but nobody seconded her motion so it failed for lack of motion. She said the reason she felt it was appropriate to send it out to bid was to provide the opportunity to see if there was a lower cost alternative to the current appointment. She also voted no when it came up for vote. She has a note with this on to help Mr. Holderman adjust the minutes.

Ms. Tosti-Vasey made a motion to approve the amended minutes as intended. Mr. Brachbill seconded the motion. A voice vote was unanimous.

## **PUBLIC COMMENTS**

- None.

## **REGULAR AGENDA**

## **COMMUNICATIONS**

## **WRITTEN**

- Contact information has been provided on the Council members. An address for Mr. Brachbill refers to South Badger Street but the sign states Badger Street.

  - Ms. Harvey's email address is [kjhharvey@comcast.net](mailto:kjhharvey@comcast.net) only.

  - Mr. DeCusati asked if the designations West Ward, South Ward could be harmonized with the numbers used in voting.

  - Ms. Tosti-Vasey requested PO Box 68 be used on hers.

- The committee assignments were provided to Council members. Mrs. Dunne suggested the committees with changed membership, especially new chairs, to have a meeting within the next couple of months to get everyone on the same page.

- A letter from Nicole Summers, Ed.D., Executive Director, FaithCentre, requesting permission to hold its 10<sup>th</sup> Annual FaithCentre 5K/10K on April 9, 2016. It would begin at the Bellefonte Middle School and proceed through the residential neighborhood of Parkview Heights. A map of the course was provided for Council members. It will begin at 10:00 a.m. and be completed by noon.

  - Mr. Beigle made a motion to approve the request as presented. Mr. Spicer seconded the motion. Mr. DeCusati suggested a comment be included stating any markings used are not permanent. A voice vote was unanimous.

- An email from Clara Bannach, a freshman at Bellefonte Area High School, suggesting a Monarch butterfly garden consisting of milkweed and flowers be placed in Talleyrand Park.

Mrs. Dunne gave this suggestion to the Talleyrand Park Committee for their comments. Mrs. Dunne feels this is a nice and ambitious project, and we hopes she will lend a hand to this cause.

Mr. Johnson made a motion to approve the project but that it be turned over to the Parks & Recreation Committee to choose an appropriate location. Mr. Spicer seconded the motion.

Ms. Tosti-Vasey made a motion that this be turned over to the Talleyrand Park Committee for recommendation with final Council approval. Mr. Brachbill seconded the motion. A voice vote was unanimous.

- Mr. Holderman provided a Right-to-Know Requests Report-2015. It is for Council to review and see how many requests are made on an annual basis.

- A letter from Betsy Boyer, President, Centre Care, Inc., Centre Crest, asking Council and the Planning Commission to consider a zoning amendment in regards to the Centre Crest property. Mr. Stewart stated that typically goes to the Planning Commission for recommendation.

Mr. Beigle made a motion to turn it over to the Planning Commission for review and recommendation. Mr. Brachbill seconded the motion. Centre Crest is not in the Historic District. A voice vote was unanimous.

- A letter from Brian D. Walker, P.E., LEED AP, expressing interest in being appointed to the vacant position of the Bellefonte Borough Authority.

Mr. Beigle made a motion to appoint Brian Walker to the vacancy on the Bellefonte Borough Authority. Mr. Spicer seconded the motion. There is also an application from Richard Miller. There are no alternate Authority members. A voice vote was unanimous.

## **ORAL**

- Mr. Johnson had a conversation with Dr. Marianne Hazel, CPI, and she invited him to tour the facility, and he would like to extend that invitation to the rest of Borough Council. If any Council members are interested, please get in touch with Mr. Stewart.

## **SPECIAL COMMITTEE REPORTS**

- Draft IDA meeting minutes from the January 13, 2016, meeting are in the packet for review.

Ms. Tosti-Vasey requested clarification on the last paragraph on page four where it states there was a motion to pursue the Dunlop Street conversion to a right-of-way and possibly brick walkway and an estimate. She expressed concern on how that would affect the Gamble Mill property. Mr. Stewart stated it will not affect the Gamble Mill property. The minutes refer to doing a brick walkway. You would abandon

the street, keep a right-of-way and put in a brick walkway. It makes a nicer project and the funding for that is at least 50% eligible for reimbursement. At a certain point there would be bollards that would prevent you from driving any further. Mr. Holderman reported that the parapet that runs around the bridge and comes in will stay the same so that it does not affect the Gamble Mill. Mr. DeCusati expressed concern with bricking it and then having heavy equipment driving over it. Mr. Stewart stated the bricks will be put down on concrete.

On page 4, the paragraph before Old Business "Mr. Beigle" needs changed to "Mr. Badger".

- Draft Safety Committee meeting minutes from the January 13, 2016, meeting are in the packet for review.

Mr. Brachbill reported there were no new safety concerns for investigations completed. They are working on safety training for airpicks and lifting. Mr. Stewart provided an overview of the current status of the water fluoridation situation.

- The Centre Region Council of Governments Public Safety Committee meeting was attended by Mr. Brachbill on January 14. They went through reorganization at that meeting. Bruce Lord is the new Chair and Walt Weiss is the new Vice-Chair. The office has had two apparatuses damaged while on calls at two separate incidents. Engine 514 received major damages and is currently under repair. Bellefonte Logan Fire Company has old Engine 111 that they offered the Alphas to use while the 514 is being repaired. The Alphas is going to insure it for the full amount that the vehicle is worth and will take care of any maintenance as they are using it.

Mr. Brachbill made a motion to approve the loan of Bellefonte Logan Fire Company #1 Engine 111 to the Alpha Fire Department while their Engine 514 is being repaired. Ms. Tosti-Vasey seconded the motion. A short-term loan was previously approved. When one of their engines is repaired, they will return Engine 111. A voice vote was unanimous.

## **MAYOR'S REPORT**

- Mayor Wilson seconded what Doug Johnson said about CPI. If you have a chance, you should go there and take the tour. They do great work out there, have a very dedicated staff and students, and are an asset to have in our community serving the County.

- We are supposed to get a big snow on Friday. Citizens are reminded that sidewalks should be shoveled within 24 hours of the ending of the storm and you may be fined if that does not happen. After the last storm, there was still ice on the sidewalks a few days after the deadline. Be courteous and get your walks shoveled.

- Sergeant Holliday is in the audience to answer questions. The report shows there are 54 incidences that were outlined. In December 352 calls were made.

## **OFFICE OF COMMUNITY AFFAIRS**

### **ZONING/PLANNING**

- None.

### **HARB**

- None.

## **CERTIFICATES OF APPROPRIATENESS**

- 1) 252 Match Factory Place – Centre for Audiology – A sign placed on the building above the place of business. (Condition of approval – the white space needs to be increased by 20%)

Ms. Harvey made a motion to approve the Certificate of Appropriateness. Mr. Spicer seconded the motion. A business must come before HARB before they have a sign made. A voice vote was unanimous.

HARB has requested that the Borough's Solicitor be contacted to investigate the option of using potential bonds for surety when a building has been approved for demo contingent upon a new structure being built. It was recommended that first the Pennsylvania Historical Museum Commission be contacted to see if there is precedence for this.

Ms. Tosti-Vasey made a motion to send this request to the Pennsylvania Historical Museum Commission to inquire about a precedence for posting such a bond. Mr. Beigle suggested if they don't have anything in place to go ahead and get a lawyer to get it taken care of right away. Mrs. Brown seconded the motion. Ms. Dainty clarified that there is a hurry on this. They were going to take down the garage but there were conditions with it. A condition was they had to have the plans approved for the new garage before they took down the old one and the owner did not want to go through those steps. Ms. Dainty asked if somebody doesn't want to go through the required steps would HARB be able to require a bond so it can move forward with the project, but if they don't ever put up the garage it could be used to cover what needs to have happened in that space. A voice vote was unanimous.

Mr. DeCusati made a motion to allow up to \$5,000.00 for solicitor fees if necessary. Mr. Beigle seconded the motion. Ms. Harvey feels this is too much money. Mr. Brachbill questioned whether the approval to demolish the garage should be rescinded. The property owners are balking at the caveat that was given to them. Council approved demo with the caveats. If the caveats are taken away then he feels the motion to demo should be rescinded. Mr. Stewart feels they are not trying to ignore the caveats. If they do something that is not approved there would be a legal issue and they stand to be sued/liable for their actions. Mr. Stewart does not want to take any action without legal counsel.

Ms. Dainty stated they understood from the beginning all the conditions that went with the approval. They sent a letter that HARB got at the last meeting asking that those conditions be approved. HARB did not approve removing those conditions. The people are still going to have to go through all those conditions. HARB wants to know if it does happen if they have other options...can HARB ask for a bond if they are permitted to move forward with the destruction, which did not happen. They still have to follow all the guidelines. HARB wants to know if at some future point someone comes and wants to tear down a garage if it can be requested that they put up a bond until such time as their building is built. Mrs. Brown asked if anything rests on the permission of the church. Ms. Dainty said the church has not said no. The church wrote a letter stating they know they have to fix the side of their building. The church and the property owner have to determine who will pay to fix the siding on their building.

Mr. Beigle understands that HARB wants something they can give to somebody if they come in again and say they want to tear the garage down then HARB can say you have to have a bond until you put it back up again. HARB just needs some ammunition for future incidents. HARB has no authority because it has to come to Council for final approval.

Mr. DeCusati amended his motion to state pay up to \$500.00 for solicitor fees if necessary. Mr. Beigle amended his second. The motion passed with Mr. Brachbill voting no.

HARB voted to say they would support legal fees up to \$500.00. The motion passed with Mr. Brachbill voting no.

Draft HARB meeting minutes from January 12, 2016 are in the packet for review.

**BUILDING AND PROPERTY** – No report.

**FINANCE AND GOVERNMENT PERFORMANCE** – No report.

**PARK AND RECREATION** – Ms. Tosti-Vasey reported there will be a meeting Monday, January 25<sup>th</sup>, at 2:00 p.m.

**HUMAN RESOURCES** – Mr. Spicer reported there was grievance hearing earlier. He reminded the HR Committee there will be a meeting Tuesday, January 19, at 4:45 p.m. and Wednesday, January 20.

**SAFETY** – No report.

**WATER/SANITATION** – Mr. Beigle asked Council members to pay attention to the Daily Withdrawal amount. There are some leaks that need taken care of. One big leak

was taken care of. Mr. Beigle requested citizens contact the Borough office if they recognize a water leak.

Mr. Beigle requested residents shovel out the areas of refuse containers to make it safer for the employees. Mr. DeCusati reminded residents to shovel the snow away from fire hydrants that are by your house.

Mrs. Dunne asked why the Authority did not reappoint their solicitor in their reorganization. Mr. Stewart stated that is not required annually. The same solicitor was kept.

Draft Authority minutes from the January 5, 2016, meeting are in the packet for review.

A letter was received from the union regarding their specific safety concerns regarding the fluoride/chlorine issues. There will be a meeting to discuss this further to find solutions to remedy some of the problems.

Mr. Holderman reported a meeting needs to be scheduled in the near future to discuss the grass and brush issue.

**STREETS** – Mr. Johnson will be meeting with the committee soon and will contact the Committee members.

Mr. Holderman provided a memorandum to Council about modifying the work on Dunlop Street so there could be some type of reimbursement. There is nothing definitive at this point. They are still trying to get answers to the process. They are going back and forth with the Office of Budget and learning what will and will not be reimbursed in the Waterfront Project. The consultant recommended the possibility of eliminating Dunlop Street. It would be a service road and a pedestrian walkway. Bollards would be placed throughout the street to block it off. When it got turned over it would be part of the property but the Borough would maintain a right-of-way down the middle because there is a water line and a sewer line under Dunlop Street. Mr. Holderman would like direction from Council on whether to pursue this or not. There would be some cost if this path is chosen. Currently there is no parking along Dunlop Street and businesses would be accessible via foot. There is concern about emergency services getting in if the road is closed. Mr. Stewart said it will have some service capacity to it. The bollards will pop out of a socket to be moved.

Ms. Tosti-Vasey expressed concern that people get from the Waterfront Development up town easily. She suggested working with CATA to have transportation back and forth because people don't like walking up the hill. Mr. Holderman reported back a few years ago in 2009 Delta Development did studies and there were public meetings and back then there was a concern that two separate districts weren't created. Mr. Holderman and Mr. Stewart tried to get PennDOT tap money to look at the streetscape to the intersection of Water and High to help make that connection. He cannot fix the problem of people not wanting to walk up the hill.

If Dunlop Street is approved the loss may be a few thousand dollars if the Office of Budget says there will be no reimbursement for it and then the project is backed away from. This wouldn't affect traffic on North Thomas Street and Potter Street. Having it as an access road would provide a safer environment for pedestrians. Mrs. Brown reported when Dunlop Street was open vehicles traveled very fast on it.

Mr. Beigle made a motion to have the architect look at the plans to do construction on Dunlop Street with the purpose of closing the street down. Mr. Spicer seconded the motion. The IDA doesn't have the Authority to close a street. Ms. Tosti-Vasey would like to request the IDA make the changes that Council likes. The motion passed with Mr. Brachbill voting no.

## **ENERGY & ENVIRONMENTAL CONSERVATION** – No report.

## **OLD BUSINESS**

- There were three responses from applicants for solicitor. Ms. Tosti-Vasey made a motion to turn the applications over to Human Resources for review and recommendation. Mr. Brachbill seconded the motion. A voice vote was unanimous.

- There is a vacancy on the Housing Board of Appeals. When the 2011 Property Maintenance Code was approved and put into the ordinances it eliminated the composition of the Housing Board. In the next packet there will be a draft to put that back into the ordinance.

- Mr. Stewart reminded Council at the end of last year there was discussion about whether a new organization be created for Centre County Boroughs or resurrect the relationship with Clearfield County and those Boroughs. This will be discussed in a work session.

## **NEW BUSINESS**

- Community Yard Sale May 20 and 21

- Riff Raff Collection the week of May 23–27

- Trick-or-Treat Night, Monday, October 31, 6:00 p.m. – 8:00 p.m.

- Holiday Parking, Thursday, November 24–Sunday, January 1.

Ms. Tosti-Vasey made a motion to approve all four dates as listed. Mr. Spicer seconded the motion. A voice vote was unanimous.

- Mr. Stewart and Mr. Holderman will be teaching a Borough's Association class for newly elected officials Friday, January 22, and Saturday, January 23, at Clearfield. Mr. Johnson will be attending. Ms. Tosti-Vasey will be attending a class at Gettysburg on January 30 and 31.

- The Committees and members are listed on the Borough website.
- The Committee vacancies are listed on the Borough website.

### **PUBLIC COMMENTS**

- None.

### **ADJOURNMENT**

- With no other business to come before Council, Mrs. Brown made a motion to adjourn the Council Meeting of January 18, 2016, at 9:15 p.m. Mr. Johnson seconded the motion. A voice vote was unanimous.